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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: HIROSHI HASEGAWA, ET AL
UMEKICHI SASAKI, ET AL.

SERIAL NO.: 09/152,593 (CIP OF 08/539,001)

FILED: SEPTEMBER 14, 1998

FOR: FLUID COMPOSITIONS CONTAINING REFRIGERATOR OILS AND
CHLORINE-FREE FLUOROCARBON REFRIGERANTS

CASE: BA-22624 (CIP OF BA-22356)

GROUP: 1751

EXAMINER: Christine Skane

TERMINAL DISCLAIMER

Assistant Commissioner for Patents

Washington, D.C. 20231

Dear Sir:

Your Petitioner, NIPPON OIL CO., LTD., a corporation existing under the Laws of Japan, located at 3-12, 1-chome, Nishi-shimbashi, Minato-ku, Tokyo, JAPAN, states that it is the Assignee of the above entitled application by assignment from the inventors recorded in Reel 9477, Frame 0718 on September 25, 1998.

Petitioner is also the Assignee of the application No. 09/057,684 filed on April 9, 1998 by assignment from the inventors, recorded in Reel 9156, Frame 0657 on April 9, 1998.

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Petitioner hereby disclaims all the portions of the term of any patent which may be issued on the above entitled application, Serial No. 09/152,593, subsequent to the expiration date of any patent which may issued from the patent application No. 09/057,684 and agrees that any patent so granted on the above identified application Serial No. 09/152,593 shall be enforceable only for and during such period of time, that the legal title to said patent shall be the same as the legal title to any patent which may issue from the patent application No. 09/057,684. This agreement is to run with any patent granted on the above identified application and to be binding upon the grantee, its successors or assigns.

This disclaimer is being submitted to avoid any question of double patenting between the present application and the patent application No. 09/057,684.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of tis full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and the such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. The undersigned is an attorney of record.

Respectfully submitted,

NIPPON OIL CO., LTD.

By: Notuyuki Morita

Title: Manager of Intellectual Property Division

Dated: March 4, 1999